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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,531	04/12/2004	Thomas A. James	105.0074	3328
35987	7590	11/30/2007		
JOSEPH P. CURTIN 1469 N.W. MORGAN LANE PORTLAND, OR 97229			EXAMINER DONNELLY, JEROME W	
			ART UNIT 3764	PAPER NUMBER
			MAIL DATE 11/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/822,531

Applicant(s)

JAMES, THOMAS A.

Examiner

Jerome W. Donnelly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

JEROME DONNELLY
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 12-18 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Plante.

In regard to claims 1, 4, 14, 15 and 24 Plante discloses a device comprising: a flexible bed fig. 10, having an outer portion, the outer portion (24) being folded over and connected to a similar portion, so as to define a channel about the periphery of the bed a filament (14) disposed in the channel the filament (14) disposed in the channel the filament configured to distribute a load, the filament extending the length of the channel and a plurality of notches.

In regard claims 2, 3, 6-8 17 and 18. Plante teaches various forms of attaching the various components to each other, see col. 4 lines 1-8.

In regard to claims 5 note that Plante discloses that his mat/apron is manufactured of a mono plastic resin. Polypropylene is a mono plastic resin.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plante.

Plante discloses a device wherein a mat portion of the device includes a folded over portion and is welded (sonically) and/or wherein adhesive are used.

Given the above teaching and the practicality of melting the edge of the mat so as to decrease the likely hood of the mat unraveling. The examiner notes that it would have been obvious to one of ordinary skill in the art to manufacture the mat/apron of Plante having a bonded edge, to thereby provide a mat edge, which will not unravel.

The examiner notes that to bond the edge of a mono plastic material may be done by the obvious process of sonic or Heat welding.

Claims 1, 9, 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plante in view of Moeller.

Plante discloses the device of claim 9 substantially as claimed.

Plante discloses a device comprising an outer periphery at or about element (24) said outer periphery being folded over and connected to an inner portion (26) to define a channel,

a member disposed in the channel said member forming a loop and a plurality of notches formed in the bed.

Plante however does not disclose his device wherein the filament is a metal cable.

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Moeller however teaches a rope/cable as a filament.

Given the above teaching the examiner notes that to provide a stranded material as a filament is obvious in view of Moeller and to manufacture the filament of metal is obvious to one of ordinary skill in the art as a means of providing a strong filament or rope.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schulze Jr. in view of Sidlinger.

Schulze Jr. discloses the device of claim 10 substantially as claimed absent the teaching of the device having a V-ring configuration exposed at said notches.

Pease teaches a V-shaped configuration.

Given the above teaching of Pease the examiner notes that it would have been obvious to one of ordinary skill in the art to provide V-shaped areas in the filament of Schulze Jr. for the purpose of positioning the spring member along the length of Schulze Jr.

Claims 25, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ying in view of Shaw.

Ying discloses the device of claims 25, 26 and 28 substantially as claimed absent the teaching of the device wherein the filament extends the length of a channel and connects at opposite ends to form a loop and connection means in the form of sonic welding.

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Ying discloses a device having a flexible bed, folded over sections to define channels about its periphery, filaments (13) disposed in the channels, the space between the channel defining notches which expose said plurality of filaments and a plurality of springs.

Given the above teaching of manufacturing the filler material/connection points of springs of a trampoline to the mat, in the form of a continuous ring. The examiner notes that it would have been obvious to one of ordinary skill in the art to manufacture the filaments of Ying (13) of a continuous ring. The continuous ring providing a stronger support configuration and is a known alternate form of a filament means in the art.

The examiner further notes that sonic welding and folded over edges of a trampoline mat are old and obvious in the art of manufacturing trampoline mats.

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-28 are, drawn to apparatus, classified in class 482, subclass 27.
- II. Claims 29-32, drawn to method, classified in class 482, subclass 148.

Inventions Group I and Group II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process of making the

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trampoline of claim 29 may be used to manufacture a trampoline other than the trampoline disclosed in the specification and claims of S/N 10/822,531.

Any inquiry concerning this communication should be directed to Jerome Donnelly at telephone number (571) 272-4975.

Jerome Donnelly

JEROME DONNELLY
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Jerome Donnelly', with a large, stylized loop at the beginning and a long horizontal stroke extending to the right.